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MEMORANDUM

TO: Summit County Council
FROM: Jami Brackin
DATE: November 15, 2021
RE: DPRE Amendment to Research Park DA.

Since this project was last before you on October 27, 2021, the parties and subcommittee of the Council have been working toward solutions to some of the issues addressed at that time. Attached is the current draft of the Amended DA, reflects those changes, but there are still questions to be addressed prior to any final decision being made.

The first major discussion item are the provisions of Sustainability found in Section 3.3.5 (page 24). The Council has indicated its desire for a 100% electric project and the Developer would like to present another alternative to the Council.

Additional questions remain in Section 3.3.6 (page 25) which address the financing mechanisms to fund major improvements to the traffic problems of Kimball Junction. Whether the VAA and/or PID would be created if an HTRZ or CRA is **not** created is the primary question.

The working group believes that the phasing issue overall has been resolved (see Exhibit A-10); and the phasing of workforce housing is addressed there as well as in Section 4.1.1 (page 29).

With respect to the possible sale and transfer of the project, a question remains regarding whether or not the County must approve any transfer and assumption of the obligations by another party (Sections 5.2 and 5.3). The County has the approval authority in almost every other development agreement within the County.

Also remaining is the question of which obligations and benefit survive any termination or expiration of the Agreement (Section 6.3.4).

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The Developer is working on providing Exhibit A-2 (master plan) and the visual map to Exhibit A-4 (height), and there may be other refinements of the Housing Agreements and Deed Restrictions which deal with whether there are “floating” or “fixed” workforce housing units.